



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)

Paul E. Jacobs *et al.*)

Serial No. 09/728,651)

Filed: December 1, 2000)

For: E-MAIL SOFTWARE AND
METHOD AND SYSTEM FOR
DISTRIBUTING
ADVERTISEMENTS TO CLIENT
DEVICES THAT HAVE SUCH E-
MAIL SOFTWARE INSTALLED
THEREON

) Group No. 2152

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to examination of the above-identified application, Applicants request entry of the following amendments:

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

March, 9, 2001
(Date of Deposit)

Deborah Dean
(Name of the Person Making Deposit)

(Signature)

**IN THE SPECIFICATION
BACKGROUND OF THE INVENTION**

Please replace the third paragraph (lines 24-26) on page 1 of the specification with the following paragraph:

This application is a continuation of U.S. Provisional Patent Application Serial No. 60/209,392, filed June 1, 2000, and U.S. Patent Application Serial No. 09/609,123, filed June 30, 2000, pending, which claims the benefit of U.S. Provisional Patent Application Serial No. 60/169,622, filed December 8, 1999. These patent applications are incorporated herein by reference in their entirety.

**IN THE SPECIFICATION
BRIEF DESCRIPTION OF THE DRAWINGS**

Please replace the first paragraph (lines 1-3) on page 15 of the specification with the following paragraph:

Fig. 18A illustrates an exemplary dialog box associated with auditing the operation of the Adware software according to the present invention.

**IN THE SPECIFICATION
DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS**

Please delete the third paragraph (lines 12-13) on page 52 of the specification.

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REMARKS

By the amendments requested herein, Applicants have added a specific reference to the earlier-filed patent applications for which the present application claims the benefit of priority, in accordance with 35 U.S.C. §119(e) and §120, and have deleted all references to the omitted figures 18B through 18E from the specification.

2. Amendment to page 15 of the Specification:

Fig. 18A illustrates an exemplary dialog box associated with auditing the operation of the Adware software according to the present invention while Figs. 18B through 18E list useful parameters for auditing the software's performance;

- Additional details on instrumentation applicable to the exemplary Eudora 5 main client software is provided in Figs. 18B–18E.

CONCLUSION

In light of the preliminary amendments contained herein, Applicants submit that the application formalities have been met, and that the application is in condition for allowance, for which early action is requested.

Applicants do not believe that any fees are due with this response. If, however, it is determined that fees are owed, please charge any such fees or overpayments to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: March 9, 2001

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